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**PART 1**

**DISORDERLY CONDUCT**

**§6-101. Disorderly Conduct Prohibited.**

Disorderly conduct is hereby prohibited within the Borough of Hulmeville. Any person who shall willfully make or cause to be made any loud, boisterous and unseemly noise or disturbance to the annoyance of the peaceable residents nearby, or near to any public street or alley, or public ground within the Borough, whereby the public peace is broken or disturbed, or the traveling public annoyed shall be guilty of disorderly conduct.

*(Ord. 109, 12/-/1967, §1)*

**§6-102. Disturbance of the Peace Prohibited.**

Disturbance of the peace is hereby prohibited within the Borough of Hulmeville. Any person who shall be guilty of any willful act causing or tending to cause a disturbance of the peace and good order of the Borough, or causing or tending to cause any danger, discomfort or annoyance to inhabitants of the Borough or to users of any of the public streets or alleys in the Borough; or who shall fight or quarrel or incite others to fight or quarrel; or who shall publicly make use of obscene or indecent language; or who shall loaf or loiter or congregate upon any of the public streets or alleys or public grounds in the Borough, to the annoyance of peaceable residents nearby or traveling upon any street or alley or being lawfully upon any of the public grounds in the Borough, whereby the public peace is broken or disturbed or the traveling public annoyed; or who shall drink malt or brewed or vinous or alcoholic beverage while being in or upon any of the public streets or alleys or parks or other public grounds in the Borough, shall be guilty of disturbance of the peace.

*(Ord. 109, 12/-/1967, §2)*

**§6-103. Penalty for Disorderly Conduct or Disturbance of the Peace.**

Any person who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine not exceeding \$600 and costs, or in default of payment thereof, shall be subject to imprisonment for a term not to exceed 30 days.

*(Ord. 109, 12/-/1967, §3; as amended by Ord. 223, 1/7/2002)*



**PART 2**  
**FIREARMS**

**§6-201. Discharge of Firearms Prohibited.**

No person shall, within the limits of the Borough of Hulmeville, willfully discharge any gun or other firearm, except in necessary defense of person or property, or as otherwise permitted by State law.

*(Ord. 65, 3/18/1954; as amended by Ord. 223, 1/7/2002)*

**§6-202. Penalty.**

Any person who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine not exceeding \$600 and costs, or in default of payment thereof, shall be subject to imprisonment for a term not to exceed 30 days.

*(Ord. 65, 3/18/1954; as amended by Ord. 223, 1/7/2002)*



**PART 3**

**LOITERING**

**§6-301. Loitering Prohibited.**

1. It shall be unlawful for any person or any number of persons to stand, loiter or walk upon any street, sidewalk, or any other public way or area in the Borough so as to obstruct free passage over, on or along said street, sidewalk or other public way or area.
2. It shall also be unlawful for any person to stand or loiter upon any street, sidewalk or other public way or area of the Borough after having been requested by any police officer to move on.

*(Ord. 121, 8/4/1972, §§1 and 2; as revised by Ord. 223, 1/7/2002)*

**§6-302. Penalties.**

Any person who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine not exceeding \$600 and costs, or in default of payment thereof, shall be subject to imprisonment for a term not to exceed 30 days.

*(Ord. 121, 8/4/1972, §3; as revised by Ord. 223, 1/7/2002)*



**PART 4**

**CURFEW FOR MINORS**

**A. Daytime Curfew.**

**§6-401. Definitions.**

As used in this Part, the following terms shall have the meaning indicated:

**BOROUGH** - Hulmeville Borough, Bucks County, Pennsylvania.

**COMPULSORY SCHOOL AGE** - as defined by the Public School Code of 1949, the period of a child's life from the time the child's parents elect to have the child enter school, until the age of 17 years. The term, shall not include any child who holds a certificate of graduation from a regularly accredited senior high school.

**ESTABLISHMENT** - any privately owned place of business carried on for profit or non-profit or any place of amusement or entertainment to which the public is invited.

**GUARDIAN** - any person other than a parent who has legal guardianship of a student or is a person in a parental relation, having control or charge of any student.

**HOME EDUCATION PROGRAM** - a program conducted, in compliance with the School Code, by the parent or guardian or such person having legal custody of the child or children.

**PARENT** - the natural or adoptive parents of a student, and other persons having proper custody.

**PUBLIC PLACE** - any public street, highway, road, park, playground, public building, vacant lot or parking area open to the general public, including the interior or any motor vehicle being operated upon or parked upon or standing in or upon any such areas.

**SCHOOL** - any institution, public or private authorized and/or certified by the School Code.

**SCHOOL CODE** - the Public School Code of 1949, as amended.

**SCHOOL DAY** - the time period of any day that students are required to attend school.

**SCHOOL TERM** - the period of time elapsing between the opening of schools in the fall of one year and the closing of schools in the Spring of the following year.

**STUDENT** - any person of compulsory school age.

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**UNAUTHORIZED ABSENCE** - any absence from school by a student which is not excused or permitted by school authorities.

**VOCATIONAL EDUCATION PROGRAM** - a program conducted, in compliance with the School Code, the purpose of which is to fit an individual to pursue effectively a recognized profitable employment.

*(Ord. 219, 5/1/2000, §1)*

### **§6-402. Curfew for Students.**

1. It shall be unlawful for any student, required by the School Code to attend school, to remain in or play in or upon any public place or at any establishment or to wander or stroll upon public streets or right-of-ways when such student is required by the School Code to attend school during the school day.
2. The provisions of this Part shall not apply to any student who:
  - A. Has attained the age of 16 years and who is regularly engaged in any useful and lawful employment or service during the time the schools are in session, and who holds an employment certificate issued according to law.
  - B. Has been examined by an approved mental health treatment facility or by a person certified as a school psychologist or psychological examiner, and has been found to be unable to profit from further public school attendance, and who has been reported to the Board of School Directors and excused, in accordance with the regulations prescribed by the State Board of Education.
  - C. Has attained the age of 15 years and is engaged in farm work or domestic service in a private home on a permit issued by the School Board or the designated school official of the School District of the student's residence, in accordance with regulations which the Superintendent of Public Instruction is hereby authorized to prescribe.
  - D. Has attained the age of 14 years and is engaged in farm work or domestic service in a private home on a permit issued as provided in subsection (C) of this Section, and who has satisfactorily completed either in public or private schools, the equivalent of the highest grade of the elementary school organization prevailing in the public schools of the district in which he or she resides, if the issuance of such a permit has first been recommended by the District Superintendent of schools, having supervision, of the schools of the district where such child resides or by the principal of the private school where such child is enrolled and the reason therefor has been approved by the Superintendent of Public Instruction.
  - E. Is engaged in a home education program.

- F. Is engaged in a vocational education program and is out of school pursuant to the guidelines of such program.

(*Ord. 219, 5/1/2000, §2*)

**§6-403. Liability and Penalties.**

1. Any person who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine not exceeding \$600 and costs, or in default of payment thereof, shall be subject to imprisonment for a term not to exceed 30 days. [*Ord. 223*]
2. The student and every parent, guardian or person in a legal custodial relation must appear at a hearing established by the district justice.
3. In lieu of or in addition to any other sentence imposed under this Section, the district justice may order the student to perform community service for a period not to exceed 6 months.
4. A first time offender who maintains perfect attendance for a period of 30 days following his or her offense may be permitted to have the citation issued under this Part dismissed.

(*Ord. 219, 5/1/2000, §3; as amended by Ord. 223, 1/7/2002*)

**§6-404. Parental/Guardian Liability.**

1. Every parent, guardian or person in a legal custodial relation, having control or charge of any child or children of compulsory school age, who shall fail to comply with the provisions of this Part regarding compulsory school attendance, subject to the provisions of §6-403.
2. Any parent, guardian or person having legal custody of any child or children of compulsory school age, who is convicted of a violation of this Part, may be ordered by the district justice to complete an approved parenting education program or counseling offered by a local school district or other community resource, in lieu of any fine imposed.
3. If the parent, guardian or person having legal custody charged with a summary offense under this Section shows that he or she took every reasonable step to insure attendance of the student at school, he or she shall not be convicted of the summary offense.

(*Ord. 219, 5/1/2000, §4*)

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### **§6-405. Enforcement.**

1. Any police officer who finds a student violating this Part may obtain the information from such student that is required in order to issue a citation to the student. A copy of the citation and/or written notice shall be provided to the parent, guardian, or personal having legal custody of the student by the Chief of Police or his designee advising of the violation. The student should then be transported to school.
2. Any police officer who is notified by a parent, guardian or person having legal custody of a student who willfully refuses to attend school, shall obtain permission from the parent, guardian or person having legal custody to enter the residence of the parent, guardian or person having legal custody and issue a citation for the violation of the ordinance to the student and return the student to the public school in which the student is, or should be, enrolled.
3. If a person suspected of violating this Part refuses to satisfactorily identify himself or herself to a police officer, that person may be temporarily detained to permit the police officer reasonable opportunity to determine his or her identity. If it is determined that the suspect is a student subject to compulsory school attendance, then the parent, guardian, or person having legal custody of such student shall be notified and unless requested by such parent, guardian or person having legal custody to place said student in a school other than the public school, the student may be placed in the public school in which the student is, or should be, enrolled.

*(Ord. 219, 5/1/2000, §5)*

### **§6-406. Effective Date.**

This Part shall remain in effect for one year following its enactment, and unless revoked or rescinded, shall continue in effect from year to year.

*(Ord. 219, 5/1/2000, §6)*

**B. Evening Curfew.**

**§6-411. Definitions and Interpretation.**

1. As used in this Part, the following terms shall have the meanings indicated, unless a different meaning clearly appears from the context:

**MINOR** - person under the age of 18 years.

**PARENT** - any natural parent of a minor, as herein defined, or a guardian, or any adult person responsible for the care and custody of a minor. When used in this Part, "parent" shall mean one or both parents.

**PUBLIC PLACE** - any public street, alley, sidewalk, park, playground, public building or vacant lot in the Borough of Hulmeville.

**REMAIN** - to stay behind, to tarry and to stay unnecessarily upon the streets, including the congregating of groups (or of interacting minors) totaling four or more persons in which any minor involved would not be using the streets for emergencies or ordinary purposes such as mere passage of going home.

2. In this Part, the singular shall include the plural, the plural shall include the singular; and the masculine shall include the feminine and the neuter.

*(Ord. 218, 5/-/2000, §1)*

**§6-412. Purposes.**

This is a curfew ordinance prescribing in accordance with prevailing community standards, regulations for the conduct of minors on streets at night, for the protection of younger children in the Borough from each other and from other persons on the streets during nighttime hours, for the enforcement of parental control and responsibility for their children, for the protection of the public from nocturnal mischief by minors and for the reduction of the incident of juvenile criminal activity, all for the good of minors, for the furtherance of family responsibility, and for the public good, safety and welfare.

*(Ord. 218, 5/-/2000, §2)*

**§6-413. Curfew; Exceptions.**

It shall be unlawful for any minor to be or remain in or upon any public highway, park or other public place within the Borough of Hulmeville, or in any enclosure or vehicle which is on or in close proximity to any such public place within the Borough, between the hours of 10:00 P.M. and 6:00 A.M. on the following day. Exceptions to the above are the following:

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- A. Minor accompanied by parent, guardian, or other person having legal care or custody of such minor.
- B. Minor possessing a written statement dated that day and signed by parent, guardian, or other person having the legal care or custody of such minor, which statement specifies the time, place, purpose and necessity of the minor being in a public place contrary to this Part.
- C. Minor lawfully employed making it necessary to be on or in highways, streets, parks, etc., as stated above and possessing a current letter certifying the same and signed by employer, parent or guardian.
- D. Minor on an emergency errand.
- E. Minor traveling to and from church, school or municipal activity with parental permission statement as in subsection (B), above.

*(Ord. 218, 5/-/2000, §3)*

### **§6-414. Parents not to Permit Violation.**

It is hereby made unlawful for any parent, guardian, or the person having the legal care or custody of a minor to allow or permit such minor to violate any of the provisions of this Part without legal justification therefor.

*(Ord. 218, 5/-/2000, §4)*

### **§6-415. Procedure upon Violation.**

Any minor found upon the streets, alleys, parks or public places within the Borough in violation of §6-402 shall be taken into custody by the Borough police or legally deputized individual, be delivered to his parent(s), guardian, or person having the legal custody of said minor, and be given a copy of this Part. A report shall be filed and kept in a book for that specific purpose. If said parent, guardian or person having the legal custody of said minor shall again allow him to be on the streets, alleys, parks or public places in violation of §6-402, said parent, guardian, or person having the legal custody of said minor so offending shall, upon the second offense, be called along with offender and be so advised once again as to the penalty provisions contained in this Part. Upon the third violation, said parent, guardian or person will be remanded to the district justice for disposition.

*(Ord. 218, 5/-/2000, §5)*

### **§6-416. Penalties.**

Any person who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine not exceeding \$600 and costs, or in default of payment thereof, shall be subject to imprisonment for a term not to exceed 30 days.

(*Ord. 218, 5/-/2000, §6*)

**§6-417. Procedure in Case of Repeated Violations or Other Factors Interfering with Enforcement.**

Any minor who shall violate this Part more than three times may, at the discretion of the proper Borough officials, be reported to a society or organization the purpose of which is to take charge of incorrigibles and delinquents, and proceedings shall then be taken in the proper court for the permanent welfare of such minor and a like procedure may be taken in cases where the arrest of the parent is not effective, or where for any other reason the provisions of §6-402 of this Part cannot be made effective by the imposition of fines and penalties.

(*Ord. 218, 5/-/2000, §7*)

**§6-418. Police Discretion in Age Determination.**

The police officers of the Borough in taking minors into custody shall use their discretion in determining age and in doubtful cases may require positive proof of age. Until such proof is furnished, the officer's judgment shall prevail.

(*Ord. 218, 5/-/2000, §8*)



**PART 5**

**CONSUMPTION OF INTOXICANTS IN PUBLIC**

**§6-501. Definitions.**

Unless the context otherwise requires, the following words or phrases shall be construed according to the definitions set forth below:

**ALCOHOLIC BEVERAGES** - any spirits, wine, beer, ale or other liquid containing more than ½% of alcohol by volume which is fit for beverage purposes.

**CONTAINER** - any bottle, can or other vessel in which alcoholic beverages are contained.

*(Ord. 223, 1/7/2002)*

**§6-502. Consumption.**

No person shall consume any alcoholic beverage in any quantity upon any street, avenue, alley, sidewalk, stairway, thoroughfare, or other public property within the Borough of Hulmeville, nor shall any person consume any alcoholic beverage within 5 feet of any public way or thoroughfare while on a private stairway, doorway or other private property open to public view without the express or implied permission of the owner, his agent or other party in lawful possession thereof.

*(Ord. 223, 1/7/2002)*

**§6-503. Possession.**

No person shall possess any container of alcoholic beverage whether wrapped or unwrapped which has been opened or on which the seal has been broken in any manner on any public street, avenue, alley, thoroughfare or other public property within the Borough, nor shall any person possess any container or alcoholic beverage within 5 feet of any public way or thoroughfare while on a private stairway, doorway, or other private property open to public view without the express or implied permission of the owner, his agent, or other person in lawful possession thereof.

*(Ord. 223, 1/7/2002)*

**§6-504. Exceptions.**

Provided however, that the provisions of §§6-502 and 6-503 above shall not apply to interior portions of any private dwelling, habitat or building, nor to the consumption or

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possession by persons in the areas herein designated of any duly prescribed and dispensed medication having alcoholic content as set forth in §6-501 hereof; and provided further that the provisions of said §§6-502 and 6-503 above shall not apply to premises duly licensed by the Pennsylvania Liquor Control Board and to persons then and there patrons of said licensee.

*(Ord. 223, 1/7/2002)*

### **§6-505. Penalty.**

Any person who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine not exceeding \$600 and costs, or in default of payment thereof, shall be subject to imprisonment for a term not to exceed 30 days.

*(Ord. 223, 1/7/2002)*

**PART 6**

**TAMPERING WITH PUBLIC PROPERTY**

**§6-601. Definition and Interpretation.**

As used in this Part, the term "person" shall include any individual, corporation, partnership, association, firm, or other legal entity. The singular shall include the plural; the plural shall include the singular; and the masculine shall include the feminine and the neuter.

*(Ord. 223, 1/7/2002)*

**§6-602. Tampering with Public Property on Streets, Alleys or Public Ground Prohibited.**

No person shall destroy, injure, tamper with or deface any public property of the Borough of Hulmeville, or any grass, walk, lamp, ornamental work, building or street light on or in any of the streets, alleys, sidewalks, or public grounds in the Borough of Hulmeville.

*(Ord. 223, 1/7/2002)*

**§6-603. Tampering with Stakes, Posts and Monuments Prohibited.**

No person shall in any manner interfere or meddle with, or pull, drive, change, alter, or destroy any stake, post, monument, or other marking, made, placed or set, or hereafter made, placed or set, or caused to be done by the authorities of the Borough, to evidence the location, elevation, line, grade, corner, or angle of any public street, alley, sidewalk, curb, gutter, drain, or other public work, or thing.

*(Ord. 223, 1/7/2002)*

**§6-604. Tampering with Warning Lamps, Signs or Barricades Prohibited.**

No person shall destroy, remove, deface, obliterate or cover up any lamp, sign or barricade erected as a warning of danger by the authorities of the Borough or by any person doing work by permission of the authorities of the Borough on any of the streets, alleys, sidewalks, or bridges in the Borough or on any public grounds of the Borough, within or without the Borough of Hulmeville.

*(Ord. 223, 1/7/2002)*

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### **§6-605. Removal of Material from Streets, Alleys or Public Grounds Prohibited.**

No person shall take any earth, stone, or other material from any street, alley, or public grounds in the Borough.

*(Ord. 223, 1/7/2002)*

### **§6-606. Deposit of Harmful Substances on Streets, Alleys, Sidewalks or Public Grounds Prohibited.**

No person shall pour, throw or deposit any harmful or destructive substance or matter on any street, alley, sidewalk or public grounds in the Borough.

*(Ord. 223, 1/7/2002)*

### **§6-607. Exceptions.**

This Part shall not apply to normal activities in connection with construction, maintenance and repair of streets, alleys, sidewalks, and public grounds and the structures and fixtures located thereon or therein, or to incidental results of work done thereon or therein upon permit from or by authority of the Borough.

*(Ord. 223, 1/7/2002)*

### **§6-608. Penalties.**

Any person who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine not exceeding \$600 and costs, or in default of payment thereof, shall be subject to imprisonment for a term not to exceed 30 days.

*(Ord. 223, 1/7/2002)*

**PART 7**

**LITTERING**

**§6-701. Littering Prohibited.**

It shall be unlawful for any person, firm or corporation or any agent thereof to place, throw, store, accumulate or maintain, or cause to be placed, thrown, stored, accumulated or maintained any used cans, papers, paper boxes, used lumber, rubbish, debris, animal matter, garbage, empty bottles or other containers upon any property within the Borough of Hulmeville or on or near any alley, highway or stream located in said Borough, except in accordance with any Borough ordinance dealing with the collection of garbage, refuse, trash, or solid waste.

*(Ord. 223, 1/7/2002)*

**§6-702. Penalties.**

Any person, firm or corporation who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not exceeding \$600 and costs, or in default of payment thereof, shall be subject to imprisonment for a term not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

*(Ord. 223, 1/7/2002)*



**PART 8**

**THROWING OBJECTS IN PUBLIC RIGHT-OF-WAY**

**§6-801. Prohibited Acts.**

The throwing, kicking, or knocking of any ball, snowballs, stones or any other missile upon or into any of the public streets, alleys, or sidewalks in the Borough of Hulmeville is hereby prohibited.

*(Ord. 223, 1/7/2002)*

**§6-802. Penalties.**

Any person who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not exceeding \$600 and costs, or in default of payment thereof, shall be subject to imprisonment for a term not to exceed 30 days.

*(Ord. 223, 1/7/2002)*



**PART 9**

**LEWD MATERIAL**

**§6-901. Definitions.**

As used in this Part, the following terms shall have the meanings indicated:

**AUDIENCE** - one or more persons who are permitted to view a performance for valuable consideration or in or from a public place.

**DISPLAY PUBLICLY** - exposing, placing, posting, exhibiting, or in any other fashion displaying in any location, whether public or private, material or a performance in such a manner that it may be readily seen and its content or character distinguished by viewing it in or from a public place or vehicle.

**DISSEMINATE** - manufacture, issue, publish, sell, lend, distribute, transmit, broadcast, exhibit or present material or to offer or agree to do the same, or to have in one's possession with intent to do the same.

**LEWD MATERIAL** - any material or performance in which all of the following elements are present:

- (1) Considered as a whole, by the average person, applying the contemporary community standards of the Borough of Hulmeville, it appeals to the prurient interest in sex.
- (2) It depicts, describes or represents in a patently offensive way, sexual conduct, as hereinafter defined.
- (3) Taken as a whole, it lacks serious literary, artistic, political, educational or scientific values.

**MATERIAL** - any printed matter, visual representation, or sound recording, including, but not limited to books, magazines, motion picture films, pamphlets, newspapers, pictures, photographs, drawings, three-dimensional forms, sculptures, and phonograph, tape or wire recordings.

**NUDITY** - uncovered, or less than opaquely covered, post-pubertal human genitals or pubic area, the post-pubertal human female breast below a point immediately above the top of the areola or the covered human male genitals in a discernibly turgid state. For the purpose of this definition, a female breast is considered uncovered if the nipple only or the nipple and the areola only are covered.

**PANDER** - advertising or propagandizing in connection with the sale of material, the offering of a service, or the presentation or exhibition of a performance by appealing to the prurient interest of potential customers.

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**PERFORMANCE** - any live or reproduced exhibition including but not limited to any play, motion picture film, dance or appearance presented to or performed before an audience.

**PERSON** - any individual, partnership, firm, association, corporation or other legal entity.

**PRURIENT INTEREST** - desire or craving for sexual stimulation or gratification. In determining prurient interest, the material or performance shall be judged with reference to average persons, unless it appears from the character of the material or performance that it is designed to appeal to the prurient interest of a particular group of persons, including but not limited to, homosexuals or sado-masochists. In that case, it shall be judged with reference to the particular group for which it was designed.

**PUBLIC PLACE or VEHICLE** - any street, alley, park, boulevard, school or other public property or any dance hall, rental hall, theater, amusement park, liquor establishment, store, depot, place of public accommodation, or other private property in the Borough generally frequented by the public for the purposes of education, recreation, amusement, entertainment, sport, shopping or travel; or any vehicle for public transportation, owned or operated by the government, either directly or through a public corporation or authority, or owned or operated by any non-governmental agency for the use, enjoyment or transportation of the general public.

**SADO-MASOCHISTIC ABUSE** - flagellation or torture by or upon a person who is nude or clad in undergarments or in a sexually revealing or bizarre costume, or the condition of such person being fettered, bound or otherwise physically restrained, in an apparent act of sexual stimulation or gratification.

### **SEXUAL CONDUCT -**

- (1) Masturbation.
- (2) Sexual intercourse, whether genital-genital, oral-genital, oral-anal, or anal-genital.
- (3) Any erotic fondling or touching of the covered or uncovered genitals, buttocks, pubic area, or any part of the breasts of the female, whether the conduct described in subsections (1) through (3) is engaged in alone or between members of the same or opposite sex, or between humans and animals or humans and inanimate objects.
- (4) Actual or simulated display or exhibition of the human pubic area or genitals or any part thereof.
- (5) Sexual excitement, as hereinafter defined.

(6) Sado-masochistic abuse as herein defined.

**SEXUAL EXCITEMENT** - the facial expressions, movements, utterances or any other physical responses of a human male or female, whether alone or with others, whether clothed or not, who is in an apparent state of sexual stimulation or arousal, or experiencing the physical or sensual reactions of humans engaging in or witnessing sexual conduct.

As used in this Part, the masculine shall include the feminine and neuter.

(Ord. 223, 1/7/2002)

**§6-902. Disseminating and/or Promoting Lewd Material.**

It shall be unlawful for any person, to disseminate and/or promote and/or display publicly lewd material in the Borough. A person shall be guilty of the offense of disseminating and/or promoting and/or displaying publicly lewd material if, knowing its content and character, he:

- A. Disseminates or causes to be disseminated any lewd material in or from a public place or vehicle, or for valuable consideration; or has in his possession any lewd material with intent to so disseminate; or knowingly allows the use of any business, building, vehicle or place owned, leased, conducted or managed by him, for such dissemination of lewd material.
- B. Sells an admission ticket, or pass to premises where there is being exhibited or is about to be exhibited lewd material or a performance which contains lewd material.
- C. Admits, by accepting a ticket or pass, a person to premises where there is being exhibited or is about to be exhibited material or a performance which contains lewd material.
- D. Produces, presents, directs, or knowingly allows the use of any business, building, vehicle or place, owned, leased, conducted or managed by him to be used for a performance which contains lewd material before an audience.
- E. Participates in that portion of a live performance before an audience which makes the performance contain lewd material.
- F. Panders, displays publicly, or disseminates door to door, any lewd material, or causes such pandering, public display or door to door dissemination.

(Ord. 223, 1/7/2002)

**§6-903. Penalties.**

## CONDUCT

Any person who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine not exceeding \$1,000.00 and costs, or in default of payment thereof, shall be subject to imprisonment for a term not to exceed 30 days. Each day that a violation of this Part continues shall constitute a separate offense.

*(Ord. 223, 1/7/2002)*

### **§6-904. Injunction.**

The Solicitor of the Borough may institute proceedings in equity in the Court of Common Pleas of Bucks County for the purpose of enjoining any violation or potential violation of this Part.

*(Ord. 223, 1/7/2002)*